

- 10 -

### **REMARKS**

This Application has been carefully reviewed in light of the Office Action mailed October 30, 2006 (the "Office Action"). Claims 1-21 are pending in the Application. The Office Action rejects Claims 1-6 and 9-21 and objects to Claims 7 and 8. Applicants amend Claim 15. Applicants respectfully request reconsideration and favorable action in this case.

#### **Section 101 Rejections**

Claims 15-20 are rejected under 35 U.S.C. §101 because the Office Action contends that the claimed invention is directed to non-statutory matter. Applicants have amended independent Claim 15 to recite logic embodied as a computer program stored on a computer readable medium. Applicants respectfully request withdrawal of these rejections.

#### **Section 102/103 Rejections**

Claims 1-5, 9-12, 15-18, and 21 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Publication No. 2002/0093483 issued to Kaplan ("*Kaplan*"). Claims 6, 13, and 19 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Kaplan* in view of U.S. Patent No. 6,834,249 issued to Orchard ("*Orchard*"). Claims 14 and 20 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Kaplan* in view of U.S. Publication No. 2002/0190947 issued to Feinstein ("*Feinstein*") and U.S. Patent No. 6,573,883 issued to Bartlett ("*Bartlett*"). Applicants respectfully traverse these rejections.

Claim 1 recites a motion detection module operable to detect motion within three dimensions and to identify a first component of the motion parallel to the viewable surface, a second component parallel to the viewable surface and perpendicular to the first component and a third component perpendicular to the viewable surface. In addition, Claim 1 recites a display control module operable to determine a translation vector that is substantially opposite to the sum of the first component and the second component and to translate the cursor across the viewable surface according to the translation vector. Claims 9, 15 and 21 recite similar elements. The Office Action suggests that *Kaplan* discloses these claim elements. *See* Office Action, pages 2-3. However, there is no disclosure in *Kaplan* of identifying first and second components of motion, both parallel to the viewing surface, and determining a translation vector substantially opposite to the sum of the first and second

- 11 -

components of motion. For example, the Office Action suggests that the claimed translation vector is disclosed at *Kaplan* at Figures 3 and 4. However, these figures merely disclose force signals of an accelerometer when it is rotated about an axis (e.g., accelerometer 11 rotated about the z-axis). In fact, *Kaplan* is directed to positioning a cursor 120 based on tilt or rotation of PDA 100, and not based on movement of the PDA which would result in first and second components of motion both parallel to the viewable surface and perpendicular to each other. Therefore, for at least these reasons, Applicants respectfully submit that Claims 1, 9, 15 and 21 are patentable over the cited art used in the rejections and request that the rejections of these claims be withdrawn.

Claims 2-6 each depends from Claim 1, Claims 10-14 each depends from Claim 9 and Claims 16-20 each depends from Claim 15. Thus, for at least the reasons discussed above with respect to Claims 1, 9 and 15, Applicants respectfully request that the rejections of Claims 2-6, 10-14 and 16-20 be withdrawn.

**Allowable Subject Matter**

Applicants appreciate the Examiner's indication that Claims 7 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Applicants respectfully submit that these claims are otherwise allowable for the reasons discussed above.

- 12 -

**CONCLUSION**

Applicants have now made an earnest attempt to place the Application in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicants respectfully request reconsideration and full allowance of all pending claims.

If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

Applicants believe no fee is due. However, the Commissioner is hereby authorized to charge any fees or to credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.  
Attorneys for Applicants

A handwritten signature in black ink, appearing to read "Chad C. Walters", is written over the printed name.

Chad C. Walters  
Reg. No. 48,022

Date: January 25, 2007

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